



Prudential

BUSINESS, LABOR & ECONOMIC AFFAIRS
EXHIBIT No. 3
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BILL No. SB 319

Prudential Montana Real Estate

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Senate Business and Labor Committee

Dear Committee,

As a industry member of the Board of Realty Regulation and a Montana Real Estate Broker for the past 25 years, I am writing in support of Senate Bill 319.

It is customary that real estate brokers will have a Buyer Broker Agreement with several buyers at the same time. Everyday there are new properties that come on the market. It is not unusual for one of these newly listed properties to fit the needs of more than one of the buyers that a broker is representing.

In that case, if a broker chooses to show that property to only one of the buyers who may fit that property, and exclude the others, or refer the others to competing brokers who are not as familiar with the buyers situation or expectations, it is my opinion that the broker is prejudicing one buyer over another, and, in effect may be violating his fiduciary responsibility to the buyers being referred out.

The broker is faced with this dilemma in compromising his responsibility to his fiduciary, and in turn, leaves himself open to pending litigation for failure to properly represent the buyer who is now being asked to form a relationship with another broker at the very same time the appropriate property is available for purchase and there are competing offers being tendered.

This situation does nothing to protect the consumer. If anything, it puts the Seller in a situation of fielding competing offers from brokers who are not thoroughly versed in the referred buyers expectations and financial capabilities.

In markets like Bozeman and Missoula, where there are often competing offers on newly listed properties, time is of the essence. To favor one buyer over another is not in the Buyer or Seller's best interests. There should be a level playing field for all buyers who may be potential buyers for that certain property. This could easily be accomplished by full disclosure of a broker's representation of more than one buyer on a particular property. This is far superior than prejudicing one buyer over another and putting a buyer at a disadvantage by abandoning him or her at the time they need the broker's representation most.

I respectfully request you pass Senate bill 319 and allow consumers the representation that they deserve in purchasing a home.

Sincerely,

Mike Basile, CRB, CRS
Broker, Owner
Prudential Montana Real Estate